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February 2, 2015

VIA ECF AND HAND DELIVERY

Hon. George B. Daniels
United States District Judge
United States District Court
for the Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *Sokolow, et al. v. Palestinian Liberation Organization, et al.*
Docket No. 04-CV-397 (GBD)(RLE)

Dear Judge Daniels:

I write to ask that the Court preclude the testimony of Hanan Ashrawi—today identified as one of the “lead-off” witnesses in the defense case—as lacking personal knowledge and as precluded by the Court’s prior orders.

Defendants first disclosed that they wished to call Ms. Ashrawi as a witness on December 30. At that time, they said that she would substitute as a witness for a former employee named Afif Safieh. According to defendants’ December 23 letter, that witness was to testify “about the creation and development of the PLO, its structure, its relationship to the PA, Fatah and Hamas, and the PLO’s function following the signing of the Oslo Accords in 1994 and the creation of the Palestinian Authority.”

The trouble with having Ms. Ashrawi offer testimony about the PLO during the years 2000 to 2004 is simple: she was not even a member of the PLO during the relevant time period. Ms. Ashrawi represented to another Court in 2006 that she “**is not and has never been a member of the PLO.**” Ex. A hereto. According to her biography (Ex. B hereto), Ms. Ashrawi was later elected to the PLO’s Executive Committee—but in **2009**, five years after the events in question. It is impossible for such an individual to give fact testimony about the PLO during the relevant period.

Defendants’ December 30 letter also claims that Ms. Ashrawi will testify “concerning the rationale for the payments which the court has deemed admissible, and rebut the plaintiffs’ claim that these payments are a reward for terrorism.” It is impossible to know what this means, but Ms. Ashrawi does not appear to have any relevant knowledge of PA or PLO payments to the perpetrators in this case or the policies that were in place during the relevant years—she was not actually a member of the PLO

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at that time, and her biography indicates that she is a “civil society activist” (whatever that means) rather than someone who has personal knowledge of the PA’s employment policies and practices with regard to terrorists.

Finally, Ms. Ashrawi’s (apparently self-provided) biography on “Palestine Link” (Ex. C) gives a hint to her apparent planned testimony:

Dr. Ashrawi has made major contributions to peace making and nation building. She is the recipient of numerous international peace, human rights and democracy awards recognizing her work. She is also the author of many books, articles, poems and short stories on Palestinian politics, culture and literature.

The establishment of the state of Israel in May 1948 constituted an historical injustice to the Palestinian people, and has been called the Al-Nakba, or the catastrophe, by Palestinians since then. Whether uprooted, dispersed and exiled, or languishing under Israel’s military occupation, the Palestinian people continue to struggle for their freedom and rights, including the right to self-determination.

Before Ms. Ashrawi comes to New York for her deposition, the Court should put a stop to defendants’ shenanigans of putting up a witness with no personal knowledge to complain to the jury about the policies of the State of Israel.

Respectfully,


Kent A. Yalowitz

Enclosures

cc: All ECF Counsel